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Most Recent Summaries

Criminal Law & Procedure

US v. Figueroa-Lugo, No. 13-1202

Conviction for knowing possession of child pornography in violation of 18 U.S.C. section 2252(a)(4)(B) is affirmed where: 1) evidence was sufficient to convict; 2) the district court's willful blindness instruction did not confuse or mislead the jury and therefore was not in error; 3) defendant was not entitled to the section 2252(c) affirmative defense or the inconsistent mental state instructions for which he argued.

Civil Rights, Labor & Employment Law

Santiago-Diaz v. Rivera-Rivera, No. 13-2180

In a suit claiming that, as a result of his membership in the Popular Democratic Party, plaintiff was subject to impermissible political discrimination after the New Progressive Party came to power in Puerto Rico in January 2009, the district court's grant of summary judgment for defendants is affirmed where: 1) plaintiff has not raised a genuine issue of material fact that his party affiliation was a factor in his reassignment or that his job responsibilities were diminished; and 2) plaintiff's remaining allegations of workplace discrimination are insufficient to constitute adverse employment actions.

Civil Rights, Labor & Employment Law

Planadeball v. Wyndham Vacation Resorts, Inc., No. 13-2366

In a suit under Title VII of the Civil Rights Act of 1964, 42 U.S.C. section 2000e, alleging retaliation against plaintiff by Wyndham Vacation Resorts, Inc. for making informal and formal complaints against her then-supervisor after he subjected her to a hostile work environment on the basis of her race and national origin, the district court's grant of summary judgment to defendant is affirmed where plaintiff has not presented sufficient evidence to establish a retaliation claim under Title VII.

Criminal Law & Procedure, Sentencing

US v. Nelson, No. 14-1262

Sentence for armed robbery, 18 U.S.C. section 1951(a), is affirmed where: 1) the upwardly variant sentence imposed, which was rooted in the circumstances of the offense and defendant's characteristics, reflects the sentencing judge's concerted deliberation and balancing of the section 3553(a) factors; and 2) the sentence was procedurally sound and substantively reasonable.

Civil Rights, Immigration Law

Morales v. Chadbourne, No. 14-1425

In an action brought by a plaintiff detained for 24 hours pursuant to an immigration detainer so agents from the U.S. Immigration and Customs Enforcement (ICE) could investigate her immigration status, alleging that ICE agents unlawfully detained her in violation of her Fourth and Fifth Amendment rights, the district court's judgment is: 1) affirmed as to denial of qualified immunity on plaintiff's Fourth Amendment claim against Donaghy on the ground that the law was clearly established in 2009 that an ICE agent required probable cause to issue an immigration detainer; 2) affirmed as to denial of qualified immunity on plaintiff's Fourth Amendment supervisory liability claim against Chadbourne and Riccio; and 3) dismissed as to plaintiff's appeal on his Fourth Amendment argument regarding the circumstances surrounding the issuance of the detainer and his Fifth Amendment equal protection argument for want of jurisdiction.

Criminal Law & Procedure

US v. Hernandez-Maldonado, No. 14-1444

Conviction and sentence for guilty plea to being a prohibited person in possession of a firearm, in violation of 18 U.S.C. section 922(g)(1) are affirmed where: 1) defendant has failed to demonstrate a reasonable probability that, but for the district court's failure to advise him that he could not withdraw his plea if it did not follow the government's recommendation, he would not have entered the plea; and 2) the sentence the district court imposed was procedurally and substantively reasonable.